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SUBJECT: Child Labor in the DRC's Mining Sector

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¶1. (U) Summary: Child labor in the mining sector in the Democratic Republic of the Congo (DRC) is a significant and, seemingly, growing problem (refs A, B). Other than the actions of a handful of NGO's, virtually nothing is being done to address this issue. Government inaction is particularly glaring. End summary.

Extent of Child Labor in the DRC Mining Sector

¶2. (U) Artisanal mining - as opposed to working in an industrial or semi-industrial mining setting - is dangerous, unregulated work. Instead of industrialized equipment, miners use shovels, picks, buckets, ropes, and candles and wooden laths (to shore up the

shafts). Shafts can be 60 to 90 feet deep and 10 feet wide, excavated essentially by hand to extract marketable metal ore. Artisanal miners often risk their lives for the USD 1.00 - 2.00 a day they typically earn to support their families. Unfortunately, many of these workers are children, and child labor in artisanal mining is a huge problem in the DRC. In 2007, UNICEF estimated that there were about 50,000-60,000 children working in artisanal mining in the Katanga province alone, though many believe the number to be higher, and on the increase. In Katanga, children are used to mine copper and cobalt and, in the provinces of east and west Kasai, diamonds. These child miners have no health or medical coverage and are often exploited by buyers, security agents, and corrupt Congolese government (GDRC) officials. Moreover, debt bondage, child labor, and other human rights violations are often rife in the mines. Most troubling is the situation in the east of the country, primarily in North and South Kivu Provinces, where children are frequently coerced and threatened to mine coltan, wolframite (tungsten ore) and cassiterite (tin ore) by foreign and domestic armed groups.

Causes of the Problem

¶3. (U) The perilous socioeconomic situation of millions of families in the Democratic Republic of the Congo is one of the main causes of child labor in the mining sector. Parents who cannot find work or do not make enough to support their families are often willing to take their children out of school (if indeed they go to school) so they can work to contribute to the family's income. Moreover, child labor in the mining sector is considered fairly normal in mining communities, often because children have parents or older siblings already there, and are often faced with familial and/or peer pressure. (Note: Despite a lack of conclusive data, it is suspected that former child soldiers, or children associated with armed groups, in North and South Kivu who were not successfully reintegrated into their communities have, in many cases, ended up in artisanal mining. These young returnees often have no surviving

family, no education, and thus no choice but to dig in order to survive. End note.)

Lack of Educational Opportunities

¶4. (U) The lack of a functional educational system in the DRC contributes greatly to the high incidence of child labor. Because children do not have access to, or cannot pay for school, they are indirectly pushed into the informal labor sector. At the same time, many parents are unable to justify paying for school fees while at the same time giving up their child's potential contribution to household income. Although the DRC Constitution clearly states that primary public education is guaranteed, parents are often required to pay for children's books, infrastructural and administrative costs, and even directly pay their teachers' salaries. Some children who work in the mining sector are simultaneously attending school while also working part-time in order to be able to help pay for their education.

Strategies to Combat Child Labor

¶5. (U) Most NGO's and UN agencies feel that the best response to reduce the number of children working in the DRC mining sector is to provide them with the free schooling they cannot now afford or obtain.

¶6. (U) As of June 2007, the World Bank Board of Executive Directors approved an IDA grant of USD 150 million over 5 years to finance an expansion of primary school enrollment, the rehabilitation of education infrastructure, and to improve the quality of education in the DRC. The foremost objective of the grant is to eliminate the need for students to pay "motivation fees," as a way to cut the cost of primary education. The Ministry of Education announced it would begin paying teachers' salaries directly in 2005, but because of budgetary constraints was unable to do so. IDA and USAID are currently working with the Congolese government to fix teacher payrolls, make school fees uniform across the country, and ban corruption among administrators.

NGO's Addressing the Issue

¶7. (U) The Solidarity Center, along with Save the Children U.K., was recently awarded a U.S. Department of Labor grant of USD 5 million for 3 years to combat the problem of child labor in the DRC mining sector through education. Save the Children U.K. is working in three locations: Lubumbashi, Katanga Province (mostly copper and cobalt related); Bunia, Ituri Territory, Orientale Province (where mostly gold is mined) and Mbuji-Mayi, East Kasai Province (where primarily diamonds are mined). The Group's target is 4,000 children rescued per site, making the targeted total 12,000. This program seeks to help not only those children working directly in mining sector, but also those who are hand processing/concentrating ores, and those who are sex workers and petty traders. Children will be provided with three different options to pursue their education: primary education (for those under 10), an accelerated learning program (for those from 10-13) designed to bring some up to grade level, and vocational training (for those from 14-17.)

¶8. (U) Since 2006, GroupOne, a Belgian NGO based in Lubumbashi and funded by UNICEF and the ILO, has helped some 250 children under the age of 15 to leave the region's mines and return to school full time. In November 2007, the project provided vocational training to 250 children older than 15. (Comment: Given that there are likely hundreds of thousands children working in the mining sector in the DRC, it should be noted that this particular program is extremely small in scale.)

¶9. (U) UNICEF and MONUC do not currently have any programs that specifically address the issue of child labor in the mining sector. UNICEF's center in Lubumbashi has been working to create awareness about children working in mines, but has mostly been focusing on problems regarding sexual exploitation and prostitution. However, UNICEF says it is in the process of evaluating what needs to be done, and hopes to develop a program specifically designed for this issue in the near future.

¶10. (U) DRC law is clear: children under the age of 18 may not work legally. The Ministry of Labor, however, is severely under funded and under staffed, so enforcement is weak and rarely applied. In June 2006, it was announced that an inter-ministerial committee would be created, the "National Committee to Combat the Worst Forms of Child Labor," with the stated goals of developing and ensuring the implementation of a national strategy to eliminate the worst forms of child labor. However, the Committee has done little to fulfill its mandate. The Committee has yet to nominate or confirm its members or even formally establish a definition of the worst forms of child labor. Moreover, it has not gathered or collected data on the specific issue of children in mines, and is highly dependent on the statistics and baseline studies of relevant NGO's. (Note: The Permanent Secretary of the Committee has been working closely with the Solidarity Center and the Save the Children UK project, and states that this project is being carried out in "collaboration" with the Congolese government. However, the government does not provide support in the form of employees or inputs to either organization. It is "collaboration" only in the sense that the government is in favor of the programs. End note.)

¶11. (U) On July 15, 2008, a child protection law was adopted by the Congolese Senate that prescribes severe legal penalties for those who recruit or use children in armed groups, as well as for those who participate in the sexual exploitation or torture of children. It also guarantees children the benefits of all programs or measures that aim to protect them from abuse, negligence or exploitation. The bill is scheduled to taken up by the National Assembly in September when Parliament reconvenes, the Assembly and Senate versions reconciled, and then will hopefully be promulgated by the President. (Note: The eventual promulgation of this bill would be a step in the right direction for the GDRC, but it does not specifically address child labor issues. End note.)

¶12. (SBU) Comment: Although a handful of NGO's address the issue of child labor in the DRC mining sector, they are doing so on a relatively small scale. Other than relying heavily on NGO's to combat the problem, the GDRC's modest efforts to combat this problem are cause for concern. Under certain conditions, children working in the mining sector can be considered to have been trafficked. Currently the DRC is on the "Tier 2 Watch List," for "failing to provide evidence of increasing efforts to combat trafficking in person over the last year." The GDRC's seeming inability to even create the inter-ministerial committee necessary to begin addressing the worst forms of child labor in the DRC, much less to identify the resources necessary to take action, does not inspire confidence in the GDRC and its ability to solve this big social problem.

¶13. (SBU) Comment continued: Embassy Kinshasa's TIP working group has developed an action plan to intensify diplomatic pressure on parliamentarians to draft an anti-trafficking law and to engage with ministerial leaders to raise awareness and develop the political will and judicial capacity needed to ensure enforcement. The working group also anticipates the sponsorship of public service messages on anti-trafficking themes. End comment.

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